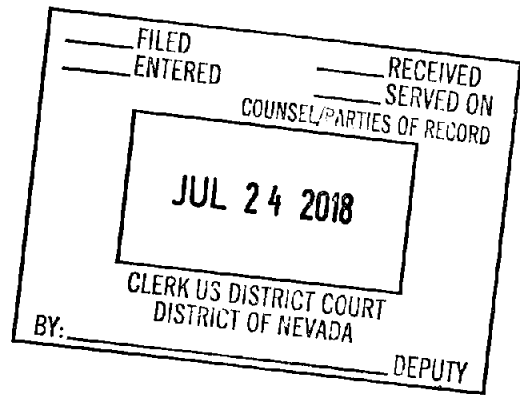


Nathan Williams #77356
 Name High Desert S.P.
PO Box 650
Indian Springs NV
 Prison Number 89070



UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA

Nathan Williams
 Plaintiff,

vs.

Brian E. Williams Sr.
Glen Fowler
Nevada Dept of Corrections

Defendant(s).

2:18-cv-01363-APG-NJK

**CIVIL RIGHTS COMPLAINT
 PURSUANT TO
 42 U.S.C. § 1983**

Jury Trial Demanded

A. JURISDICTION

1) This complaint alleges that the civil rights of Plaintiff, Nathan Williams
 (Print Plaintiff's name)

who presently resides at High Desert State Prison, were
 violated by the actions of the below named individuals which were directed against

Plaintiff at Southern Desert Correctional C. on the following dates
 (institution/city where violation occurred)

April 6th - August 8th (Count I), April 6th - August 8th (Count II), and April 6th - August 8th (Count III)

Make a copy of this page to provide the below
information if you are naming more than five (5) defendants

- 2) Defendant Brian E Williams Sr. resides at 22010 Old Creek Road ^{Indian Springs NV 89108}
(full name of first defendant) (address if first defendant)
and is employed as Warden. This defendant is sued in his/her
(defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was
acting

under color of law: Williams Sr was employed as Warden at
Southern Desert Correctional Center.

- 3) Defendant Glenial Fowler resides at 20825 Old Creek Rd ^{Indian Springs NV 89108}
(full name of first defendant) (address if first defendant)
and is employed as Sergeant. This defendant is sued in his/her
(defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was
acting

under color of law: Held the rank of Sgt. with the responsibility to act
to protect the health/safety of all inmates confined in unit 8.

- 4) Defendant Nev. Dept of Corrections resides at 3955 W. Russell Rd. ^{LV, NV 89118}
(full name of first defendant) (address if first defendant)
and is employed as Supervisory Entity. This defendant is sued in his/her
(defendant's position and title, if any)
☐ individual ☒ official capacity. (Check one or both). Explain how this defendant was
acting

under color of law: Was the Supervisory entity over the warden and
all employees at SACC and failed to timely remedy all
constitutional violations

- 5) Defendant _____ resides at _____
(full name of first defendant) (address if first defendant)
and is employed as _____. This defendant is sued in his/her
(defendant's position and title, if any)
☐ individual ☐ official capacity. (Check one or both). Explain how this defendant was
acting

under color of law: _____

6) Defendant _____ resides at _____
 (full name of first defendant) (address if first defendant)
 and is employed as _____. This defendant is sued in his/her
 (defendant's position and title, if any)
 _____ individual _____ official capacity. (Check one or both). Explain how this defendant was
 acting
 under color of law: _____

7) Jurisdiction is invoked pursuant to 28 U.S.C. § 1343 (a)(3) and 42 U.S.C. § 1983. If you wish to assert jurisdiction under different or additional statutes, list them below.

Also under Nevada constitution, Article 6 subsection 6 and
under provisions NRS 41.130, NRS 41.031, NRS, 41.032 and NRS
42.005

B. NATURE OF THE CASE

1) Briefly state the background of your case.

Plaintiff was housed at Southern Desert Correctional Center
(SDCC from here on in), on or about April 6 2016 until August
1, 2016 in unit 8 - wing B when he began advising/
complaining to the NDOC staff/officers of unit 8
that the air conditioning/ventilation/air flow wasnt
functioning. The temperature in unit 8 was elevated
to an excess of 120 degrees Fahrenheit at different
intervals during the period from April 16 - August 1
2016 and there were multiple excessive heat warnings.
Human feces and raw sewage repeatedly flooded into
my cell everytime the plumbing went out. Bugs were every
where, ALL THE TIME. Plaintiff was bitten by bugs multiple
times and denied
medical attention,

C. CAUSE OF ACTION

COUNT I

The following civil rights has been violated: 8th Amendment: Safe and humane conditions in prisons; Air quality and temperature. Cruel and unusual punishment.

Supporting Facts: [Include all fact you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights].

During the summer of 2016 there was no AC or airflow in the vent system. Multiple excessive heat warnings are in record with the National Weather Association. Plaintiff did experience heat exhaustion. Conditions were brought to the attention of Warden Williams Sr and Sgt Fowler. NDOC staff had the Maintenance Department work on the ventilation system while plaintiff was trapped in a cell. As a result from the metal grinding against metal, fumes and metal flakes were pushed through the vents and into the cells which had no windows that opened. Williams Sr came to unit 8 on June 22nd 2016 and yelled to the entire unit "if you don't like the heat, don't come to unit 8, as if to imply the conditions were some form of additional punishment for inmates already under a disciplinary sanction. NDOC staff, Williams Sr, Sgt Fowler were very aware of conditions yet refused to house inmates in another unit or another wing or even let plaintiff out of the cell while they were grinding on the metal in an attempt to fix it and all medical attention was denied even though plaintiff complained repeatedly. All medical attention was denied even though plaintiff complained over both heat and breathing conditions. Plaintiff asked for a sum of NOT less than \$250,000.00

COUNT II

The following civil rights has been violated: 8th Amendment, Sanitation and
personal hygiene.

Supporting Facts: [Include all fact you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights].

During the Summer of 2016 (April 6th - August 1st) the plumbing in unit 8 went out repeatedly. When this happened the drains on the tier would overflow and raw sewage including, human feces and urine would gush under plaintiff's cell door. NDOC staff refused to clean it up and no bio-hazard gear was issued to inmates. Inmates had the option of wading around in it or cleaning it without bio hazard equipment. As a result Plaintiff has now been diagnosed with hepatitis B. NDOC staff, Warden Williams Sr and Sgt Fincher were all aware of and could have prevented this by simply housing Plaintiff in a clean and safe living environment before this happened. Unit 8 has since been shut down but too little too late, therefore plaintiff prays that this court enter judgment in his favor for a sum of not less than 1,000,000.00 dollars and for such other and any further relief as this court may deem equitable, just and proper including fines and sanctions and the firing of necessary NDOC staff members. NDOC staff was well aware of all conditions long before this happened.

COUNT III

The following civil rights has been violated: 8th Amendment: Sanitation and personal hygiene.

Supporting Facts: [Include all fact you consider important. State the facts clearly, in your own words, and without citing legal authority or argument. Be sure you describe exactly what each specific defendant (by name) did to violate your rights].

During the summer of 2016 April 6th - End of August 2016 Unit 8 was overrun with bugs. Plaintiff complained about the bug bites via grievance process. NDOC staff promised that medical attention would be forthcoming but no medical help ever came. Plaintiff now has existing scars from the bug bites. NDOC staff, warden Williams SR and Sgt Fowler were all aware of conditions and did nothing to prevent it in a timely manner. Plaintiff personally complained to both Williams and Fowler. The common response was "we'll put in a work order to spray for the bugs." Unit 8 has now been shut down but only after inmate/Plaintiff was bitten over 100 times, wherefore plaintiff prays that this court enter judgement in his favor and against Nevada Dept of Corrections and also against Warden Brian E. Williams SR and Sgt Fowler jointly and severally for a sum not less than 250,000.00 and for such other and any further relief as this Honorable Court may deem equitable, just and proper.

D. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

- 1) Have you filed other actions in state or federal courts involving the same or similar facts as involved in this action? ___ Yes X No. If your answer is "Yes", describe each lawsuit. (If more than one, describe the others on an additional page following the below

outline).

- a) Defendants: N/A
- b) Name of court and docket number: N/A
- c) Disposition (for example, was the case dismissed, appealed or is it still pending?):

- d) Issues raised: N/A

- e) Approximate date it was filed: N/A
- f) Approximate date of disposition: N/A

- 2) Have you filed an action in federal court that was **dismissed because it was determined to be frivolous, malicious, or failed to state a claim upon which relief could be granted?**
 ___ Yes X No. If your answer is "Yes", describe each lawsuit. (If you had more than three actions dismissed based on the above reasons, describe the others on an additional page following the below outline.)

Lawsuit #1 dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: N/A
- b) Name of court and case number: N/A
- c) The case was dismissed because it was found to be (check one): _____ frivolous
 _____ malicious or N/A failed to state a claim upon which relief could be granted.
- d) Issues raised: N/A

- e) Approximate date it was filed: N/A
- f) Approximate date of disposition: N/A

Lawsuit #2 dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: N/A
- b) Name of court and case number: N/A

- c) The case was dismissed because it was found to be (check one): N/A frivolous
N/A malicious or N/A failed to state a claim upon which relief could be granted.
- d) Issues raised: N/A
- e) Approximate date it was filed: N/A
- f) Approximate date of disposition: N/A

Lawsuit #3 dismissed as frivolous, malicious, or failed to state a claim:

- a) Defendants: N/A
- b) Name of court and case number: N/A
- c) The case was dismissed because it was found to be (check one): N/A frivolous
N/A malicious or N/A failed to state a claim upon which relief could be granted.
- d) Issues raised: N/A
- e) Approximate date it was filed: N/A
- f) Approximate date of disposition: N/A

- 3) Have you attempted to resolve the dispute stated in this action by seeking relief from the proper administrative officials, e.g., have you exhausted available administrative grievance procedures? X Yes No. If your answer is "No", did you not attempt administrative relief because the dispute involved the validity of a: (1) disciplinary hearing; (2) state or federal court decision; (3) state or federal law or regulation; (4) parole board decision; or (5) other N/A

If your answer is "Yes", provide the following information. Grievance Number #2006
3027823; 6-6-16; #20063832204; 8-23-16; 8-21-16;
 Date and institution where grievance was filed 8-22-16; 9-28-16;
20063033997; 10-3-16; Emergency; 6-17-16
20063049482; 6-15-17
 Response to grievance: All denied.

E. REQUEST FOR RELIEF

I believe that I am entitled to the following relief:

A sum of Not less than 1-5 million dollars. The
Firing of Warden Williens Sr and Sgt Glenn Fowler.
Sentences imposed on NDAC forcing them to have
all living conditions in all institutions and facilities in
total compliance with federal law and NDAC to be
fined 50 million dollars.

I understand that a false statement or answer to any question in this complaint will subject me to penalties of perjury. **I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.** See 28 U.S.C. § 1746 and 18 U.S.C. § 1621.

(Name of Person who prepared or helped
prepare this complaint if not Plaintiff)


(Signature of Plaintiff)

July 16th 2018
(Date)

(Additional space if needed; identify what is being continued)

Nathan Williams 77354
High Desert State Prison
PO Box 650
Indian Springs NV

89070

CLERK

U.S. District Court
District of Nevada

LUDYD.D. GEORGE US. Courthouse
333 Las Vegas Blvd SO -
Las Vegas NV 89101

Legal Mail

LAS VEGAS NV

23 JUL 2018

89101-707323

